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**DECLARATION (37 CFR 1.63) FOR  
UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET  
(37 CFR 1.76)**

Attorney Docket No.	0229.99
First Inventor	Linda S. Thomashow et al.
Title	Sequences Encoding PhzO and Methods
Express Mail No. / Mailing Date	EF408136186US Dec. 13, 2001

As the below named inventor(s), I/we declare that:

**COPY**

This declaration is directed to:

☐ The attached application, or☒ Application No. 09/965,175, filed on September 27, 2001,☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**Inventor one: LINDA S. THOMASHOWSignature: Linda S. ThomashowCitizen of: USInventor two: SHANNON M. DELANEY

Signature: \_\_\_\_\_

Citizen of: USInventor three: DMITRI V. MAVRODI

Signature: \_\_\_\_\_

Citizen of: RUSSIAInventor four: DAVID M. WELLERSignature: David M. WellerCitizen of: US☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/965,175
Filing Date	09/27/2001
First Named Inventor	Linda S. Thomashow et al.
Title	Sequences Encoding PhzO and Methods
Group Art Unit	1645
Examiner Name	Not yet assigned
Attorney Docket Number	0229.99
Express Mail No. / Date	EF408136186US Dec. 13, 2001

I hereby appoint:

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☐ Practitioner(s) named below:

25278

COPY

Name	Registration Number

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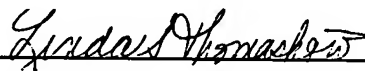
I am the:

☒ Applicant/Inventor.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name	Linda S. Thomashow
Signature	
Date	December 3, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of 4 forms are submitted. (Page 1 of 4)

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	Filing Date	09/27/2001
	First Named Inventor	Linda S. Thomashow et al.
	Title	Sequences Encoding PhzO and Methods
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	Examiner Name	Not yet assigned
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Country					
Telephone		Fax			

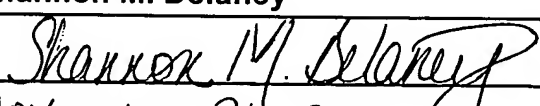
I am the:

☒ Applicant/Inventor.

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Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name	Shannon M. Delaney
Signature	
Date	November 26, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of 4 forms are submitted. (Page 2 of 4)

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	Examiner Name	Not yet assigned
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Telephone		Fax			

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☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name	Dmitri V. Mavrodi
Signature	<i>Dmitri V. MAURODI</i>
Date	<i>November 25, 2001</i>

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of 4 forms are submitted. (Page 3 of 4)

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Name	Registration Number

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**SIGNATURE of Applicant or Assignee of Record**

Name	David M. Weller
Signature	<i>David M. Weller</i>
Date	December 3, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

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Washington, D.C. 20231

DECEMBER 14, 2001

PTAS

USDA-ARS-OTT  
MARGARET A. CONNOR  
800 BUCHANAN ST.  
ALBANY, CA 94710

**\*700009314A\***

\*700009314A\*

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RECORDATION DATE: 12/13/2001

REEL/FRAME: 012234/0389  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

THOMASHOW, LINDA S.

DOC DATE: 12/03/2001

ASSIGNOR:

WELLER, DAVID M.

DOC DATE: 12/03/2001

ASSIGNEE:

AGRICULTURE, UNITED STATES OF  
AMERICA, AS REPRESENTED BY THE  
SECRETARY OF, THE  
WASHINGTON, D.C. 20250-1400

SERIAL NUMBER: 09965175  
PATENT NUMBER:

FILING DATE: 09/27/2001  
ISSUE DATE:

PAULA MCCRAY, EXAMINER  
ASSIGNMENT DIVISION  
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12/13/2001

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Margaret A. Connor

Typed Name of Person Signing this Certificate

Margaret Connor

Signature

RECORDATION COVER SHEET  
PATENTS ONLY

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<b>1. Name of conveying party(ies):</b>  Linda S. Thomashow David M. Weller  Additional name(s) of conveying party(ies) attached? [ ] Yes [X] No		<b>2. Name and address of receiving party(ies)</b>  Name: <u>The United States of America, as represented</u>  <u>by the Secretary of Agriculture</u>  City: <u>Washington, D.C.</u> Zip: <u>20250-1400</u>  Additional name(s) & address(es) attached? [ ] Yes [X] No									
<b>3. Nature of Conveyance:</b>  [X] Assignment [ ] Merger [ ] Security Agreement [ ] Change of Name [ ] Other _____ Execution Date: <u>December 3, 2001</u>											
<b>4. Application number(s) or patent number(s):</b>  If this document is being filed together with a new application, the execution date of the application is:  A. Patent Application No.(s) <u>09/965,175</u> Filed <u>09/27/2001</u> B. Patent No. _____  Additional numbers attached? [ ] Yes [X] No											
<b>5. Name and address of party to whom correspondence concerning document should be mailed:</b>  Name: <u>Margaret A. Connor, Patent Attorney</u>  Internal Address: <u>USDA-ARS-OTT</u>  Street Address: <u>800 Buchanan St.</u>  City: <u>Albany</u> State: <u>CA</u> Zip: <u>94710</u>		<b>6. Total number of applications and patents involved: [ 1 ]</b>  <b>7. Total Fee (37 CFR 3.41) \$ <u>40.00</u></b>  [ ] Enclosed [X] Authorized to be charged to Deposit Account  <b>8. Deposit Account Number: <u>23-1058</u></b>									
<b>DO NOT USE THIS SPACE</b>											
<b>9. Statement and signature.</b> <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>  <table border="0" style="width: 100%;"><tr><td style="width: 30%;"><u>Margaret A. Connor</u> Name of Person Signing</td><td style="width: 30%; text-align: center;"><u>Margaret Connor</u> Signature</td><td style="width: 30%; text-align: right;"><u>December 13, 2001</u> Date</td><td style="width: 10%;"></td></tr><tr><td colspan="4" style="text-align: center;">Total number of pages comprising cover sheet [ 1 ]</td></tr></table>				<u>Margaret A. Connor</u> Name of Person Signing	<u>Margaret Connor</u> Signature	<u>December 13, 2001</u> Date		Total number of pages comprising cover sheet [ 1 ]			
<u>Margaret A. Connor</u> Name of Person Signing	<u>Margaret Connor</u> Signature	<u>December 13, 2001</u> Date									
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Docket No.: 0229.99

**Margaret A. Connor**

Typed Name of Person Signing this Certificate

Margaret Connor  
Signature

Patent

**ASSIGNMENT**

WHEREAS, WE, LINDA S. THOMASHOW and DAVID M. WELLER, both residing at Pullman, Washington, having jointly made an invention entitled SEQUENCES ENCODING PHZO AND METHODS with Shannon M. Delaney and Dmitri V. Mavrodi, for which we have made application for Letters Patent of the United States, Serial No. 09/965,175, filed September 27, 2001; and

WHEREAS, the WORLDWIDE patent rights in our share said invention are assignable to the United States by virtue of our having made the invention while in the employ of the United States Department of Agriculture under applicable law and regulations of the United States Department of Agriculture which render the patent rights so assignable; and

WHEREAS, the United States, as represented by the Secretary of Agriculture, is desirous of acquiring an assignment of said patent rights;

NOW, THEREFORE, in consideration of these premises, we hereby assign said WORLDWIDE patent rights to the United States of America, as represented by the Secretary of Agriculture.

Executed December 3, 2001

Linda S. Thomashow  
**LINDA S. THOMASHOW**

Executed December 3, 2001

David M. Weller  
**DAVID M. WELLER**

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AUGUST 01, 2002

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MARGARET A. CONNOR, PATENT ATTORNEY  
800 BUCHANAN ST.  
USDA-ARS-OTT  
ALBANY, CA 94710

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Washington, DC 20231  
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RECORDATION DATE: 05/29/2002

REEL/FRAME: 012942/0039  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
DELANEY, SHANNON M.

DOC DATE: 05/03/2002

ASSIGNOR:  
MAVRODI, DMITRI V.

DOC DATE: 04/30/2002

ASSIGNEE:  
WASHINGTON STATE UNIVERSITY  
RESEARCH FOUNDATION  
1610 N.E. EASTGATE BLVD.  
PULLMAN, WASHINGTON 99163

SERIAL NUMBER: 09965175  
PATENT NUMBER:

FILING DATE: 09/27/2001  
ISSUE DATE:

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Shannon M. Delaney  
Dmitri V. Mavrodi

5-29-02

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2. Name and address of receiving party(ies)

Name: Washington State University Research

Foundation

Street Address: 1610 N.E. Eastgate Blvd.

City/State: Pullman, Washington Zip: 99163

Additional name(s) & address(es) attached? [ ] Yes [X] No

3. Nature of Conveyance:

[X] Assignment [ ] Merger  
[ ] Security Agreement [ ] Change of Name  
[ ] Other

Execution Date: May 3, 2002 and April 30, 2002

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 09/965,175 Filed September 27, 2001 B. Patent No.

Additional numbers attached? [ ] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Margaret A. Connor, Patent Attorney

Internal Address: USDA-ARS-OTT

Street Address: 800 Buchanan St.

City: Albany State: CA Zip: 94710

6. Total number of applications and patents involved: [ 1 ]

7. Total Fee (37 CFR 3.41) \$ 40.00

[X] Enclosed (WSURF Check # 2841)

[ ] Authorize to be charged to Deposit Account

8. Deposit Account Number:

DO NOT USE THIS SPACE

06/04/2002 TDIAZ1 00000194 09965175

01 FC:581

40.00

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Margaret A. Connor  
Name of Person Signing

Margaret Connor  
Signature

May 29, 2002  
Date

Total number of pages comprising cover sheet [ 1 ]

COPY

## ASSIGNMENT

WHEREAS, we, SHANNON M. DELANEY, of Schiller Park, County of Cook, State of Illinois, and DMITRI V. MAVRODI, of Pullman, County of Whitman, State of Washington, have invented a certain invention, entitled SEQUENCES ENCODING PHZO AND METHODS, for which we made a utility application for Letters Patent of the United States, said application having been filed on September 27, 2001, as Application No. 09/965,175; and

WHEREAS, WASHINGTON STATE UNIVERSITY RESEARCH FOUNDATION, a corporation organized under the laws of the State of Washington, having a place of business at 1610 N.E. Eastgate Blvd., Pullman, WA 99163, desires to acquire an interest therein:

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, we, SHANNON M. DELANEY and DMITRI V. MAVRODI, hereby sell, assign and transfer to WASHINGTON STATE UNIVERSITY RESEARCH FOUNDATION, our full and exclusive right, title and interest in and to said invention, patent application and patent rights throughout the world, including foreign patent priority rights, the right to file and prosecute International Applications under the Patent Cooperation Treaty, and the right to file and prosecute applications under the European Patent Convention; said invention, application and letters patent in this or any foreign country, and all divisions, continuations, reissues and extensions thereof, to be held and enjoyed by WASHINGTON STATE UNIVERSITY RESEARCH FOUNDATION, for its own use and benefit, and for its successors and assigns to the full end of the term for which letters patent may be granted in this or any foreign country, as fully and entirely as the same would have been held by me had this assignment and sale not been made, and covenant that we have full right so to do, and agree that we will communicate to WASHINGTON STATE UNIVERSITY RESEARCH FOUNDATION, or its successors and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, and do everything possible to aid WASHINGTON STATE

COPY

UNIVERSITY RESEARCH FOUNDATION, its successors and assigns to obtain and enforce proper patent protection for said invention in this or any foreign country.

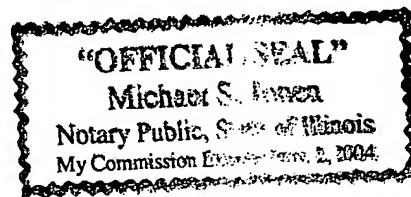
Executed at the place and date opposite our respective signatures below.

At CHICAGO, ILLINOIS  
(City and State)

on this 3 day of MAY, 2002.

STATE OF ILLINOIS           )  
  )  
COUNTY OF COOK           )       SS.

Shannon M. Delaney  
SHANNON M. DELANEY



This 3<sup>rd</sup> day of MAY, 2002, before me personally came the above-named SHANNON M. DELANEY, who executed the foregoing instrument in my presence, and who acknowledged to me that she executed the same of her own free will for the purposes set forth therein.

[Signature]  
Notary Public for State of ILLINOIS  
My Commission Expires: 11/2/04

[SEAL]

COPY

Dmitri Mavrodi  
DMITRI V. MAVRODI

At Pullman, Washington  
(City and State)

on this 30<sup>th</sup> day of April, 2002.

STATE OF WASHINGTON )

) ss.

COUNTY OF WHITMAN )

This 30<sup>th</sup> day of April, 2002, before me personally came the above-named DMITRI V. MAVRODI, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.



Sheyanna K. Weber  
Notary Public for State of Washington  
My Commission Expires: 12-9-2003  
Sheyanna K. Weber

COPY



Appl. No. 09/965,175  
Attachment to Amendment  
Reply to Office Action of July 29, 2003

PATENT

**Certificate of Mailing by Express Mail**

Express Mail No.: EF 246209175 US

Date of Deposit: October 29, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Depositor's Name: Margaret A. Connor

Depositor's Signature: *Margaret A. Connor*

Appl. No.	:	09/965,175	Confirmation No. 3943
Applicant	:	Linda S. Thomashow et al.	
Filed	:	September 27, 2001	
TC/A.U.	:	1652	
Examiner	:	Charles L. Patterson Jr.	
Docket No.	:	0229.99	
Customer No.	:	25278	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION OF DEPOSIT OF BIOLOGICAL MATERIAL**  
**IN ACCORDANCE WITH 35 U.S.C. 112**

Linda S. Thomashow declares as follows:

She is a joint inventor with Shannon M. Delaney, Dmitri Mavrodi, and David M. Weller of the subject matter described and claimed in the above-identified application.

**Statement of Deposit**

Plasmids identified below were introduced into the designated host strains and the transformed strains were deposited under terms of the Budapest Treaty with Agricultural Research Service Culture Collection (NRRL) National Center for Agricultural Utilization Research, Agricultural Research Service, U.S. Department of Agriculture, 1815 North University Street, Peoria, Illinois 61604 USA on the date listed and given the following accession numbers:

COPY

Appl. No. 09/965,175  
Attachment to Amendment  
Reply to Office Action of July 29, 2003

PATENT

<u>Host</u>	<u>Plasmid</u>	<u>Accession No.</u>	<u>Date of Deposit</u>
<i>E. coli</i> JM109	pUC2.9XP, clone 12	NRRL B-30341	10/06/2000
<i>E. coli</i> JM109	pUC2.9XP, clone 16	NRRL B-30342	10/06/2000
<i>P. fluorescens</i> 2-79	pUC2.9XP, clone 12	NRRL B-30343	10/06/2000
<i>P. fluorescens</i> 2-79	pUC2.9XP, clone 12	NRRL B-30344	10/06/2000
<i>E. coli</i> JM 109	pGEM-PHZO	NRRL B-30345	10/11/2000
<i>E. coli</i> JM109	pGEM-PHZO	NRRL B-30346	10/11/2000

The depository affords permanence of the deposits and ready accessibility thereto by the public if a patent is granted, under conditions which assure (a) that access to the cultures will be available during pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 CFR 1.14 and 35 U.S.C. 122, and (b) that all restrictions, if any, on the availability to the public of the cultures so deposited will be irrevocably removed upon the granting of a patent. Copies of the NRRL deposit receipts and viability statements are attached.

The undersigned declares further that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Executed October 27, 2003

Linda S. Thomashow  
LINDA S. THOMASHOW

Enclosures:  
NRRL Budapest Treaty Deposit Receipts  
NRRL Budapest Treaty Viability Statements

COPY

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSE OF PATENT PROCEDURES

## INTERNATIONAL FORM

TO  
USDA, ARS  
Lab 36 Johnson Hall  
Washington State University  
Pullman, WA 99164-6430

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT  
issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

NAME AND ADDRESS  
OF DEPOSITOR

<b>I. IDENTIFICATION OF THE MICROORGANISM</b>	
Identification reference given by the DEPOSITOR: <i>Escherichia coli</i> JM109p2.9rP-12	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: NRRL B-30341
<b>II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION</b>	
The microorganism identified under I. above was accompanied by: <input type="checkbox"/> a scientific description <input checked="" type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable)	
<b>III. RECEIPT AND ACCEPTANCE</b>	
This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on October 6, 2000 (date of the original deposit) <sup>1</sup>	
<b>IV. RECEIPT OF REQUEST FOR CONVERSION</b>	
The microorganism identified under I. above was received by this International Depositary Authority on _____ (date of the original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on _____ (date of receipt of request for conversion).	
<b>V. INTERNATIONAL DEPOSITARY AUTHORITY</b>	
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority  Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  Date: 10-24-00

<sup>1</sup> Where Rule 6.4(d) applies, such date is the date on which the status of international  
depository authority was acquired.

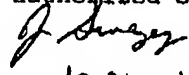
BUDAPEST TREATY ON THE INTERNATIONAL  
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NAME AND ADDRESS  
OF DEPOSITOR

<b>I. IDENTIFICATION OF THE MICROORGANISM</b>	
Identification reference given by the DEPOSITOR:  <i>Escherichia coli</i> JM109p2.9xP-16	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:  NRRL B-30342
<b>II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION</b>	
The microorganism identified under I. above was accompanied by:	
<input type="checkbox"/> a scientific description	
<input checked="" type="checkbox"/> a proposed taxonomic designation	
(Mark with a cross where applicable)	
<b>III. RECEIPT AND ACCEPTANCE</b>	
This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on October 6, 2000 (date of the original deposit) <sup>1</sup>	
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Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority  Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):   Date: 10-24-00

<sup>1</sup> Where Rule 6.4(d) applies, such date is the date on which the status of international  
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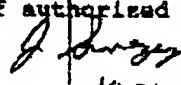
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NAME AND ADDRESS  
OF DEPOSITOR

<b>I. IDENTIFICATION OF THE MICROORGANISM</b>	
Identification reference given by the <b>DEPOSITOR:</b>  <i>Pseudomonas fluorescens</i> 2-79p2.9xP- 12(1)	Accession number given by the <b>INTERNATIONAL DEPOSITARY AUTHORITY:</b>  NRRL B-30343
<b>II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION</b>	
The microorganism identified under I. above was accompanied by:  <input type="checkbox"/> a scientific description  <input checked="" type="checkbox"/> a proposed taxonomic designation  (Mark with a cross where applicable)	
<b>III. RECEIPT AND ACCEPTANCE</b>	
This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on October 6, 2000 (date of the original deposit) <sup>1</sup>	
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<b>V. INTERNATIONAL DEPOSITARY AUTHORITY</b>	
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority  Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):   Date: 10-24-00

<sup>1</sup> Where Rule 6.4(d) applies, such date is the date on which the status of international depositary authority was acquired.

BUDAPEST TREATY ON THE INTERNATIONAL  
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NAME AND ADDRESS  
OF DEPOSITOR

<b>I. IDENTIFICATION OF THE MICROORGANISM</b>	
Identification reference given by the <b>DEPOSITOR:</b> <i>Pseudomonas fluorescens</i> 2-79p2.9xP- 12(2)	Accession number given by the <b>INTERNATIONAL DEPOSITARY AUTHORITY:</b> NRRL B-30344
<b>II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION</b>	
The microorganism identified under I. above was accompanied by: <input type="checkbox"/> a scientific description <input checked="" type="checkbox"/> a proposed taxonomic designation (Mark with a cross where applicable)	
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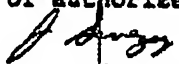
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NAME AND ADDRESS  
OF DEPOSITOR

<b>I. IDENTIFICATION OF THE MICROORGANISM</b>	
Identification reference given by the DEPOSITOR: <i>Escherichia coli</i> JM109(pGEM-PH20)	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: NRRL B-30345
<b>II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION</b>	
The microorganism identified under I. above was accompanied by:  <input type="checkbox"/> a scientific description  <input checked="" type="checkbox"/> a proposed taxonomic designation  (Mark with a cross where applicable)	
<b>III. RECEIPT AND ACCEPTANCE</b>	
This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on October 11, 2000 (date of the original deposit) <sup>1</sup>	
<b>IV. RECEIPT OF REQUEST FOR CONVERSION</b>	
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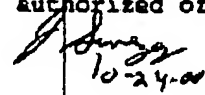
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RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT  
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INTERNATIONAL DEPOSITARY AUTHORITY  
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NAME AND ADDRESS  
OF DEPOSITOR

<b>I. IDENTIFICATION OF THE MICROORGANISM</b>	
Identification reference given by the DEPOSITOR: <i>Escherichia coli</i> JM109(pGEM-PH20(2))	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: NRRL B-30346
<b>II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION</b>	
The microorganism identified under I. above was accompanied by:  <input type="checkbox"/> a scientific description  <input checked="" type="checkbox"/> a proposed taxonomic designation  (Mark with a cross where applicable)	
<b>III. RECEIPT AND ACCEPTANCE</b>	
This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on October 11, 2000 (date of the original deposit) <sup>1</sup>	
<b>IV. RECEIPT OF REQUEST FOR CONVERSION</b>	
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Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority  Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):   Date: 10-24-00

<sup>1</sup> Where Rule 6.4(d) applies, such date is the date on which the status of international  
depositary authority was acquired.



**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT  
OF MICROORGANISMS FOR THE PURPOSE OF PATENT PROCEDURES**

**INTERNATIONAL FORM**

TO

USDA, ARS  
Lab 36 Johnson Hall  
Washington State University  
Pullman, WA 99164-6430

**VIABILITY STATEMENT**

issued pursuant to Rule 10.2 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

NAME AND ADDRESS OF THE PARTY TO WHOM  
THE VIABILITY STATEMENT IS ISSUED

<b>I. DEPOSITOR</b>	<b>II. IDENTIFICATION OF THE MICROORGANISM</b>
Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430	Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Escherichia coli</i> NRRL B-10341 Date of: October 6, 2000 <input checked="" type="checkbox"/> <sup>1</sup> Original Deposit <input type="checkbox"/> <sup>2</sup> New Deposit <input type="checkbox"/> <sup>2</sup> Repropagation of Original Deposit
<b>III. (a) VIABILITY STATEMENT</b>	
Deposit was found: <input checked="" type="checkbox"/> Viable <input type="checkbox"/> Nonviable on October 7, 2000 (Date) International Depositary Authority's preparation was found viable on October 23, 2000 (Date) <sup>3</sup>	
<b>III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION</b>	
Depositor determined the International Depositary Authority's preparation was <input checked="" type="checkbox"/> <sup>1</sup> Equivalent <input type="checkbox"/> <sup>2</sup> Not equivalent to deposit on <u>November 16, 2000</u> (Date) Signature of Depositor <u>Linda S. Johnson</u>	
<b>IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED (Depositor/Depository)</b>	
<b>V. INTERNATIONAL DEPOSITARY AUTHORITY</b>	
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u>[Signature]</u> Date: <u>10-24-00</u>

<sup>1</sup> Indicate the date of the original deposit or when a new deposit has been made.

<sup>2</sup> Mark with a cross the applicable box.

<sup>3</sup> In the cases referred to in Rule 10.2(a)(11) and (111), refer to the most recent viability test.

<sup>4</sup> Fill in if the information has been requested.

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT  
OF MICROORGANISMS FOR THE PURPOSE OF PATENT PROCEDURES**

**INTERNATIONAL FORM**

TO

USDA, ARS  
Lab 36 Johnson Hall  
Washington State University  
Pullman, WA 99164-6430

**VIABILITY STATEMENT**

issued pursuant to Rule 10.2 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

NAME AND ADDRESS OF THE PARTY TO WHOM  
THE VIABILITY STATEMENT IS ISSUED

<b>I. DEPOSITOR</b>  Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430	<b>II. IDENTIFICATION OF THE MICROORGANISM</b>  Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Escherichia coli</i> NRRL B-30342  Date of: October 6, 2000 <input checked="" type="checkbox"/> <sup>2</sup> Original Deposit <input type="checkbox"/> <sup>2</sup> New Deposit <input type="checkbox"/> <sup>2</sup> Repropagation of Original Deposit		
<b>III. (a) VIABILITY STATEMENT</b>  Deposit was found: <input checked="" type="checkbox"/> Viable <input type="checkbox"/> Nonviable on October 7, 2000 (Date)  International Depositary Authority's preparation was found viable on October 23, 2000 (Date) <sup>3</sup>			
<b>III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION</b>  Depositor determined the International Depositary Authority's preparation was <input checked="" type="checkbox"/> <sup>2</sup> Equivalent <input type="checkbox"/> <sup>2</sup> Not equivalent to deposit on <u>November 16, 2000</u> (Date) Signature of Depositor <u>Glenn J. Thomason</u>			
<b>IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED</b> (Depositor/Depository)  			
<b>V. INTERNATIONAL DEPOSITARY AUTHORITY</b>  <table border="1"> <tr> <td data-bbox="178 1459 776 1633">           Name: Agricultural Research Culture            Collection (NRRL)            International Depositary Authority             Address: 1815 N. University Street            Peoria, Illinois 61604 U.S.A.         </td> <td data-bbox="784 1459 1421 1633">           Signature(s) of person(s) having the power            to represent the International Depositary            Authority or of authorized official(s):  <u>[Signature]</u>            Date: <u>10-24-00</u> </td> </tr> </table>		Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority  Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u>[Signature]</u> Date: <u>10-24-00</u>
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority  Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u>[Signature]</u> Date: <u>10-24-00</u>		

<sup>1</sup> Indicate the date of the original deposit or when a new deposit has been made.

<sup>2</sup> Mark with a cross the applicable box.

<sup>3</sup> In the cases referred to in Rule 10.2(a)(ii) and (iii), refer to the most recent viability test.

<sup>4</sup> Fill in if the information has been requested.

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT  
OF MICROORGANISMS FOR THE PURPOSE OF PATENT PROCEDURES

## INTERNATIONAL FORM

TO

USDA, ARS  
Lab 36 Johnson Hall  
Washington State University  
Pullman, WA 99164-6430

## VIABILITY STATEMENT

Issued pursuant to Rule 10.2 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

NAME AND ADDRESS OF THE PARTY TO WHOM  
THE VIABILITY STATEMENT IS ISSUED

<b>I. DEPOSITOR</b>		<b>II. IDENTIFICATION OF THE MICROORGANISM</b>	
Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430		Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Pseudomonas fluorescens</i> NRRL B-30343 Date of: October 6, 2000 <input checked="" type="checkbox"/> Original Deposit <input type="checkbox"/> New Deposit <input type="checkbox"/> Repropagation of Original Deposit	
<b>III. (a) VIABILITY STATEMENT</b>			
Deposit was found: <input checked="" type="checkbox"/> Viable <input type="checkbox"/> Nonviable on October 7, 2000 (Date) International Depositary Authority's preparation was found viable on October 23, 2000 (Date) <sup>1</sup>			
<b>III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION</b>			
Depositor determined the International Depositary Authority's preparation was <input checked="" type="checkbox"/> Equivalent <input type="checkbox"/> Not equivalent to deposit on November 16, 2000 (Date) Signature of Depositor <i>Gunda S. Thomas</i>			
<b>IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED (Depositor/Depository)</b>			
<b>V. INTERNATIONAL DEPOSITARY AUTHORITY</b>			
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.		Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <i>J. Long</i> Date: 10-24-00	

<sup>1</sup> Indicate the date of the original deposit or when a new deposit has been made.  
<sup>2</sup> Mark with a cross the applicable box.

<sup>3</sup> In the cases referred to in Rule 10.2(a)(iii) and (iii), refer to the most recent viability test.  
<sup>4</sup> Fill in if the information has been requested.

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT  
OF MICROORGANISMS FOR THE PURPOSE OF PATENT PROCEDURES

## INTERNATIONAL FORM

TO

USDA, ARS  
Lab 36 Johnson Hall  
Washington State University  
Pullman, WA 99164-6430

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<b>I. DEPOSITOR</b>		<b>II. IDENTIFICATION OF THE MICROORGANISM</b>	
Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430		Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Pseudomonas fluorescens</i> NRRL B-30344  Date of: October 6, 2000 <input checked="" type="checkbox"/> Original Deposit <input type="checkbox"/> New Deposit <input type="checkbox"/> Repropagation of Original Deposit	
<b>III. (a) VIABILITY STATEMENT</b>			
Deposit was found: <input checked="" type="checkbox"/> Viable <input type="checkbox"/> Nonviable on October 7, 2000 (Date) International Depositary Authority's preparation was found viable on October 23, 2000 (Date) <sup>1</sup>			
<b>III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION</b>			
Depositor determined the International Depositary Authority's preparation was <input checked="" type="checkbox"/> Equivalent <input type="checkbox"/> Not equivalent to deposit on November 14, 2000 (Date) Signature of Depositor <i>Kenneth Thomason</i>			
<b>IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED (Depositor/Depository)</b>			
<b>V. INTERNATIONAL DEPOSITARY AUTHORITY</b>			
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority  Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.		Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <i>[Signature]</i> Date: 10-24-00	

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<sup>2</sup> Mark with a cross the applicable box.

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**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT  
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<b>I. DEPOSITOR</b>  Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430	<b>II. IDENTIFICATION OF THE MICROORGANISM</b>  Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Escherichia coli</i> NRRL B-30345  Date of: October 11, 2000 <input checked="" type="checkbox"/> : Original Deposit <input type="checkbox"/> : New Deposit <input type="checkbox"/> : Repropagation of Original Deposit		
<b>III. (a) VIABILITY STATEMENT</b>  Deposit was found: <input checked="" type="checkbox"/> Viable <input type="checkbox"/> Nonviable on October 12, 2000 (Date) International Depositary Authority's preparation was found viable on October 23, 2000 (Date) <sup>1</sup>			
<b>III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION</b>  Depositor determined the International Depositary Authority's preparation was <input checked="" type="checkbox"/> : Equivalent <input type="checkbox"/> : Not equivalent to deposit on <u>November 16, 2000</u> (Date) Signature of Depositor <u><i>David J. Korman</i></u>			
<b>IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED (Depositor/Depository)</b>  			
<b>V. INTERNATIONAL DEPOSITARY AUTHORITY</b>  <table border="1"> <tr> <td data-bbox="138 1554 771 1743">           Name: Agricultural Research Culture            Collection (NRRL)            International Depositary Authority             Address: 1815 N. University Street            Peoria, Illinois 61604 U.S.A.         </td> <td data-bbox="771 1554 1469 1743">           Signature(s) of person(s) having the power            to represent the International Depositary            Authority or of authorized official(s):  <u><i>[Signature]</i></u>            Date: <u>10-24-00</u> </td> </tr> </table>		Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority  Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u><i>[Signature]</i></u> Date: <u>10-24-00</u>
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority  Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s): <u><i>[Signature]</i></u> Date: <u>10-24-00</u>		

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<b>I. DEPOSITOR</b>  Name: USDA, ARS Lab 36 Johnson Hall Address: Washington State University Pullman, WA 99164-6430	<b>II. IDENTIFICATION OF THE MICROORGANISM</b>  Depositor's taxonomic designation and accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: <i>Escherichia coli</i> NRRL B-30346  Date of: October 12, 2000 <input checked="" type="checkbox"/> <sup>1</sup> Original Deposit <input type="checkbox"/> <sup>2</sup> New Deposit <input type="checkbox"/> <sup>3</sup> Repropagation of Original Deposit		
<b>III. (a) VIABILITY STATEMENT</b>  Deposit was found: <input checked="" type="checkbox"/> Viable <input type="checkbox"/> Nonviable on October 12, 2000 (Date) International Depositary Authority's preparation was found viable on October 23, 2000 (Date) <sup>3</sup>			
<b>III. (b) DEPOSITOR'S EQUIVALENCY DECLARATION</b>  Depositor determined the International Depositary Authority's preparation was <input checked="" type="checkbox"/> <sup>1</sup> Equivalent <input type="checkbox"/> <sup>2</sup> Not equivalent to deposit on <u>November 16, 2000</u> (Date) Signature of Depositor <u>Ginda S. Thomason</u>			
<b>IV. CONDITIONS UNDER WHICH THE VIABILITY TEST WAS PERFORMED (Depositor/Depository):</b>  			
<b>V. INTERNATIONAL DEPOSITARY AUTHORITY</b>  <table border="1"> <tr> <td data-bbox="131 1556 760 1747">           Name: Agricultural Research Culture            Collection (NRRL)            International Depositary Authority             Address: 1815 N. University Street            Peoria, Illinois 61604 U.S.A.         </td> <td data-bbox="760 1556 1453 1747">           Signature(s) of person(s) having the power            to represent the International Depositary            Authority or of authorized official(s):   <u>[Signature]</u>            Date: <u>10-24-00</u> </td> </tr> </table>		Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority  Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  <u>[Signature]</u> Date: <u>10-24-00</u>
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